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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,170	10/30/2001	Louis B. Rosenberg	IMM1P027B	1999

22903 7590 05/02/2003

COOLEY GODWARD LLP
ATTN: PATENT GROUP
11951 FREEDOM DRIVE, SUITE 1700
ONE FREEDOM SQUARE- RESTON TOWN CENTER
RESTON, VA 20190-5061

EXAMINER

BRIER, JEFFERY A

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 05/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action

Application No.

10/004,170

Applicant(s)

ROSENBERG ET AL. 

Examiner

Jeffery A. Brier

Art Unit

2672

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 April 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 45-67.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Jeffery A. Brier
Primary Examiner
Art Unit: 2672

DETAILED ACTION

Response to Amendment

1. The amendment filed on 04/22/03 will be entered.
2. The terminal disclaimer filed on 04/22/03 overcomes the obvious type double patenting rejection based upon 5,999,168.

Response to Arguments

3. Applicant's arguments, see page 7, filed 04/22/03, with respect to the 35 USC 112 first paragraph rejection have been fully considered and are persuasive. The rejection of claims 54, 56, and 60 under 35 USC 112 first paragraph has been withdrawn.
4. Applicant's arguments filed 04/22/03 concerning the double patenting rejection have been fully considered but they are not persuasive because applicant did not address all of the double patenting rejections. See paragraphs 5-7 of the Final Rejection.
5. Applicant's arguments filed 04/22/03 concerning the 103 rejection have been fully considered but they are not persuasive. The 35 U.S.C. 103(a) obvious rejection of claims 45-52, 54, 57, 59, 60, 62-65, 67 and 68 as being unpatentable over Salcudean et al., U.S. Patent No. 5,790,108, Fung et al., U.S. Patent No. 5,116,180, and Radke et al., U.S. Patent No. 5,223,776, is maintained because:

The filter present in block 14, figure 2 of Radke, shows sensor signals 20 being applied to block 14 and thus to the filter of block 14. The filter would not filter the keyboard signals because column 8 lines 50-53 of Radke describes the keyboard as

modifying stored parameters in block 14, thus, the filter of block 14 must be filtering the sensor signals.

The filter of Fung, as argued in the Final rejection, would indirectly filter the sensor signals.

Thus, Radke and Fung both suggest that sensor signals in force feedback devices need to be filtered, therefore, it would have been obvious to one of ordinary skill in the art to apply filter of sensor signals in force feedback devices connected to a graphical system such as shown in Salcudean.

Information Disclosure Statement

6. The information disclosure statement has been received and the references cited therein will be considered when a proper reply to the Final Rejection is received.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on M-F from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Jeffery A Brier
Primary Examiner
Art Unit 2672